

REMARKS

Claims 1-5, 8, 9, 19, 22, 23, 30-32, 34-39, 41-45, 47-51, 53 and 54 are pending in the application. Claims 1-5, 8, 9 and 19 are allowed. Claims 30, 31, 34-38, 41-44, 47-50, 53 and 54 are objected to for being dependent upon a rejected claim but would be allowable if rewritten in independent format. Claims 22, 23, 32, 39, 43, 45 and 51 are rejected.

The Examiner has rejected claims 22, 23, 32, 39, 45 and 51 for lack of antecedent basis. This is the only outstanding rejection in this case. Specifically, the Examiner states that claims 22, 32, 39, 45 and 51 refer to a 3-hydroxychromone derivative and depend on claims which do not recite a 3-hydroxychromone derivative. The Examiner also states that claim 23 refers to a dipolarophile but depends from claims which do not recite a dipolarophile.

Applicant respectfully traverses these rejections.

Claims 22, 32, 39, 45 and 51 all ultimately depend from base claim 1 which recites a step of “photochemically generating an oxidopyrylium species from a 3-hydroxychromone derivative”. This is sufficient to provide antecedent basis for the term “3-hydroxychromone derivative” in any claim that ultimately depends from claim 1 (including dependent claims 22, 32, 39, 45 and 51). There is no requirement that the term “3-hydroxychromone derivative” be recited in intermediate claims (e.g., in claim 23) in order to provide antecedent basis for that term in yet further dependent claims (as the Examiner seems to suggest). Indeed, by definition, each intermediate claim (e.g., claim 23) includes each and every limitation of base claim 1. See 37 CFR 1.75: “[c]laims in dependent form shall be construed to include all the limitations of the claim incorporated by reference into the dependent claim.”

Similarly, claim 23 ultimately depends from base claim 1 which recites a step of “performing a cycloaddition reaction between the oxidopyrylium species and a dipolarophile to form a cycloadduct”. This is sufficient to provide antecedent basis for the term “dipolarophile” in any claim that ultimately depends from claim 1 (including dependent claim 23).

Applicant respectfully requests that the rejections be withdrawn and that a Notice of Allowance be mailed. Applicant would like to thank the Examiner for his time and consideration of this case. If a telephone conversation would help clarify any issues, or help expedite prosecution of this case, Applicant invites the Examiner to contact the undersigned at (617) 248-4793.

Additionally, please charge any fees that may be required or credit any overpayment to our Deposit Account 03-1721 under Order No. 0079571-0110.

Respectfully submitted,

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